

Plunder and Bribery 41

FURTHER
DISCOVER'D,
IN A
MEMORIAL

Humbly Offer'd

To the *British Parliament.*



L O N D O N:

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Plunder and Bribery, &c.

INTRODUCTION.

WE R E the Author of these Sheets intending to Ruffle and Insult the Legislature or Government of *Great Britain*, as has been done of late in many Pamphlets and Publick Papers, in a manner so Notorious, That it has oblig'd the Queen to represent it to the House as a Shame and Scandal to the Government : Were we designing, like the *Kentish Petition*, to Dictate to the House what they should, or should not do ; and Saucily bid them turn their Loyal Addresses into Bills of Supply ; or were we like the *Legion* Pa-

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pers, to tell them how such, and such, of their Actions were, or were not Illegal, and Destructive of the Constitution which it is their Duty, and which they are trusted by their Country to preserve ; Were any of these things, or any like them, the design of this Tract, we should, like the rest of those People, come on with a Brazen out-side, hardned against Animadversion, defying Power and Justice, and make no other Introduction to the Work.

But as the Author hereof, comes first with a Declaration of the full Satisfaction all the People of *Britain* do, and must necessarily find in all the Wise Measures which the House has taken, or may take, to Discourage, Detect, and Punish the Bribery and Corruption of the Times, let the Persons be who, what, or how Great soever : Acknowledging that it is always acceptable and agreeable to all sorts of People among us, of what Opinion or Principle soever, to have the Abuses and Corruptions of those People expos'd, who have made a Prey of the Nation ; who, instead of executing the Offices and great Trusts repos'd in them by the Government, to the Honour of her Majesty, and the Advantage of the People ; have gratified their Avarice and

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Ambition, at the Expence of the Nation's Treasure ; or do misapply the same to the enriching their private Families ; imposing upon, oppressing and extorting from the People, (under the Shelter and Protection of the Powers they are vested with,) such Sums of Money as are otherwise designed for the Publick Service, and for the Protection or Defence of the Nation.

So, *the Author of these Sheets*, hopes he shall be allowed in the humblest manner, to move the Honourable House of Commons to pursue the same just Method, in farther detecting, those yet undiscovered, or at least unpunished Frauds and Corruptions, Violences and Depredations, which are and have been for a long Time practised in the several publick Offices of this Revenue, Army, Navy, &c. And in Order thereunto, to lay open, as far as he can, the present Grievances of the Subject, by the Oppression, Corruption, Bribery and Extortion of the several Officers, Managers and Dependents in the said several Places.

For these Reasons, the Author makes this brief Introduction, hoping in, and depending upon the Justice, Honour and Clemency of this Honourable House, That

his

his sincere Intention for the rectifying the said Abuses, and delivering the Faithful Subjects of the Government from the un-sufferable Injuries, Abuses, Partialities and Injustices of the said corrupt, brib'd and plundering Officers in all Parts, shall be accepted as a Service to the Government, and as a faithful Discharge of the Duty every Loyal Subject and every Faithful *Briton* owes to his Sovereign and to his Country ; to the Honour of the first, and to the Safety and Happiness of the last.

Nor can it be said, as he humbly conceives, that in this he pretends to lead or direct his Superiours, or to make any presumptuous, illegal Address or Application to this Honourable House ; or, that he maliciously pursues the Persons of any Men ; since, like a Person entirely free from any Prejudice, Malice, or Personal Quarrel at any Man, Party of Men, or Body of Men in the World, He contents himself not to seek the Punishment or Affliction of the Men, but the detecting, exposing, and preventing of the Crime only ; that the Nation may be no more Plundered, and that Posterity may have as few of the Evils of this Ages Management entail'd upon them as possible ; and there-

therefore in this Representation he humbly avoids the naming the Persons of any ; leaving that, and all farther search into those Things, as he conceives he in Duty is obliged to do, to the Wisdom and Justice of the Parliament, as the only Power able, and the only Judges proper, to enquire into, punish, condemn and censure, as well the Persons, as the Practice.

As he does this with all humble Defence to the Authority and Majesty of the Assembly to whom he addresses these Sheets, and which he doubts not the Justice of the House will prevail with them to allow and approve of ; so he, tho' with an entire Submission of his Opinion to the Judgment of the House, believes, that so far every Subject is allow'd a Liberty of laying before the House such Branches of, such Matters of Fact relating to, such Complaints, and such Representations against the Oppressions they feel, as come to their Knowledge.

Without this, the House could not be that Asylum, that Refuge, and Sanctuary to the injured and oppressed Part of the Nation, or that Terror to, that certain Destruction of, and that Defence against, the Violences and ruinous Extortions of wicked Men, which it is the Glory of the House

House of Commons to be, and which is so absolutely necessary to make them the Safety and Protection of her Majesty's innocent People, of whom they are the Representatives, and of whose Liberties they have the Conservation.

Sir Humphrey Mackworth, in his Defence of the Rights of the Commons of *England*, has sufficiently defended the high Authority of the Commons in *England*, and truly represented them to be what the Author here supposes them to be, *viz.* "That the Commons, as Representatives of the People, have (amongst other Things) the Power of levying Money, and of impeaching and prosecuting evil Ministers, as a necessary Security to preserve the Rights and Liberties of the People. And then to assert the effectual Power vested by the Constitution in the Representative of the People assembled in Parliament, he says, "That the House of Commons being a numerous Body, and the Representatives of the People, and another great Council within themselves, have the Power of impeaching and prosecuting evil Ministers, and other great Offenders, as they in their Directions shall judge requisite for the Publick Safety, and are not accountable

" table for the same to any Superior
 " Power. Yet after this tells us, That it
 is no Derogation from, or Invasion of the
 Rights, either of the Lords, as a Supream
 Judicature, or the Prince as Sovereign,
 whose Prerogatives are in their Places e-
 qually useful to the general Good; but that
 " These Supream Powers are necessary for
 " the Common Safety, and no Person can
 " assign any other Bodies of Men in *England*,
 " that are more fit to be entrusted with
 " these Powers, than the King, Lords and
 " Commons. And therefore every rational
 " Man ought to submit to the established
 " Government, and not presume to argue
 " against it; upon any Supposition of Mis-
 " management in the King, Partiality
 " in the Lords, or Delay in the Com-
 " mons, since it is the highest and best
 " Security for the Rights and Liberties of
 " the People of *England*, that the Nature
 " of the Government will admit.

These Testimonies to the Rights of the
 House are so far from being insulted or
 invaded by this humble way of repre-
 senting to the Parliament, the Grievances and
 Oppressions which the People of *England*
 labour under, from the illegal, arbitrary,
 and corrupt Practices of those who may
 have been put in Trust by her Majesty; and

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who have abused that Trust by Bribery, Extortion, and other corrupt Practices; that it is humbly represented to be a just and Solemn Recognition of the Right which the House of Commons have to exercise that Power, to hear the Complaints, and redress the Grievances of those People whom they represent, and with whose Safety, Liberty and Estates they are with so much Satisfaction and Confidence entrusted.

And the Author therefore humbly refers to the same Person quoted before; who acknowledges in behalf of the People of *England*, that they have an undoubted Right to represent to the House such Grievances, such illegal Practices, Corruption of Offices, or Misbehaviour of Ministers, as they find themselves burthened with, and oppressed by.

And even the Laws themselves not only countenance such an humble Complaint as the Author hereof purposed here to make, but seems expressly to acknowledge it to be the Native Right of the People of *England*, as appears by the *Act 13 Carol. II. Cap. 5.* Entituled, *An Act against Tumults and Disorders; on pretence of preparing or presenting publick Petitions, or other Addresses to his Majesty or the Parliament.*

liament. Wherein, amongst other Clauses these Words are expressly Enacted, viz;

Provided always, That this Act, or any thing therein contained, shall not be construed to extend, to debar, or hinder any Person, or Persons, not exceeding the number of Ten aforesaid, to present any publick or private Grievance or Complaint to any Member or Members of Parliament, during the continuance of the Parliament.

On all which Considerations, but more especially moved by his Sense of the present more than ordinary Disposition of the Honourable House of Commons, to redress all the Grievances of her Majesty's Subjects, to receive all their just Complaints, and to call to Account the highest Criminals, who in Abuse of the great Trust reposed in them, may have oppressed her Majesty's good Subjects, misapplyed or embezled the publick Treasure, or suffered themselves to be corrupted with Bribes, and thereby to injure the People of England, and misimprove the great Confidence reposed in them by her Majesty; and being confident that the said Parliament would with the same Justice animadwyert upon, and resent all other such Abuses and Corruptions practised in this Nation, as they should come to the know-

ledge of the same; and that it shall be an acceptable Service to the House, and agreeable to the said just Resolution of the House to do Justice in the Case, that any Man should detect, discover, or lay before them the several Corruptions, Extortions, Oppressions, Partialities; and other Abuses committed as aforesaid. The Author of these Sheets does in the humblest Terms, and with an entire Submission to this Honourable House, lay before them the following Representation.

A Memorial, &c.

Humbly Representing,

THAT through the Corruption of the Age, the Lenity of the Government, the Partiality of the Persons, to whom the proper Cognizance of such things have belonged, and not a little thro' the Prejudice of Parties among us, (which have rendred, on many Occasions, the Attempts and Endeavours of Men of upright Principles to detect the Practices of Men in

in Power, difficult and dangerous;) the Discovery of such Abuses as have crept into the publick Management of Affairs has been discouraged, and innumerable Attempts to break thro' the Fences which ill Men have plac'd about their Management, have been rendred fruitless; That some Persons also who have made such Attempts, being thereby exposed to the Fury and Displeasure of those who they have appear'd to charge, have been ruin'd and undone, either by Prosecutions, Displings, and other injurious Proceedings, or by the meer Expence of Money in the fruitless Attendance upon those who have had the Power to do Justice; and whose bounden Duty it was to have given all the Dispatch, fair Hearing and Encouragement to such as would have detected the Frauds and Oppressions of her Majesty's Subjects: That others have been mal-treated, thrown into Prisons by malicious Prosecutions, yea even assassinat'd, by Ruffains, Bastinadoed, and Multitudes threatned with like Usage, who have offered to appear for the Discovery of Frauds, and Abuses, as well against her Majesty, as against the People of *Britain*, committed in the several Offices and publick Employments as aforesaid.

And

And that your Honours may not suppose the humble Representer hereof, has no visible ground for this Suggestion, he takes the freedom to refer to the Practise Publickly detected before this Honourable House the very last Session of Parliament, by an infamous and known Person, who for such Practices reciev'd the just Censure of the House, and has been dismiss'd from his Command in the first Regiment of her Majesties Guards, though with such Lenity, and so much Mercy, thro' the peculiar Grace of our Happy Government, that he has not only, as we are publickly inform'd, been permitted to sell his Commission, but, to the abuse of that Mercy, has been reciev'd into the Service in the Guards of Horse, at the expence of part of the Money which he raised by the sale of his former Post.

And the Representer hereof, humbly offers, that it seems to be a full proof of what he has Suggested, as above in this Representation, That of late it has been so Dangerous for any Private Person to Detect, Discover, or Impeach the Conduct of the several Persons employ'd in Publick Offices; that such as have been willing to do her Majesty, and their Native Country such a signal piece of Service, have been oblig'd

oblig'd to apply themselves by Writing, sign'd by obscure Names or Initial Letters, Conditioning for Concealment, Encouragement, and Protection ; tacitly acknowledging the peril and difficulty of that Work, which it is humbly represented, ought rather by Faithful Ministers of the State, to be promoted with all possible readiness and encouragement ; and that this is the Method, the frequent Publication of such Letters in the *Gazette*, he humbly hopes, may be allow'd to be a sufficient Testimony.

The Representer hereof humbly pleads with this Honourable Assembly, that it may not be taken for dictating or prescribing to your Honours, if he suggests that some Methods, such as to your Honours in your great Wisdom may seem meet, for the settling and ascertaining the Encouragement of such as shall detect the scandalous Behaviour, Corruption and Oppression of those, who being entrusted by the Government with Power, and which Power is put into their Hands for Discharge of their Duty, and for the Service of their Country, make use of that Power to protect themselves from the publick Justice, and to awe and terrifie honest Men from enquiring too far into their Conduct.

It has been thought agreeable to Justice in some Countries, at least the Circumstances of such things considered, to make the Person of the accused responsible for the Safety and forth-coming of the Accuser; and the reason of this has been, because where the Nature of the Crime has been such, as that the Discovery or legal Conviction of the Offender, has depended upon the Evidence of the Person accusing, it has offer'd a strong Temptation to the Friends of the accused, and much more to the Party himself, to remove by some secret Contrivance, whether Criminal or other, the only Person who is capable to do what they suppose fatal to them. In other Cases, and in other Countries, it has been usual that the Evidence of the Accuser being taken upon Oath, and a formal Accusation laid down before proper Judges, (upon deliberate Examination,) to give notice to the accused; That if by Death, Murther, or other Clandestine Method, that Evidence be removed, so as not to be present at the Tryal, his said Deposition shall be taken for valid, and shall be sufficient to convict the Offender, as if he were actually produced:

This is humbly represented, not to lead the Honourable House to any particular Method, by which they shall think fit

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to protect those, who desire to be rendered useful in detecting the Plunderers of their Country; but humbly to enforce from Foreign Example, the Care and Concern which wise Governments have always thought fit to show, for the Protection of such who are willing to expose themselves in Aid of the publick Justice: At the same time humbly referring the Case here, to such other Methods, Means and Ways, which to this Honourable House in their great Wisdom shall seem meet.

The humble Representer being sensible of the Danger of encouraging Informers, by Rewards, Promises of Preferment, Posts of Advantage, &c. which has too often filled our Courts of Justice, with Examples of malicious, forged, or frivolous Accusations; would be very tender of giving the least hint towards laying a Foundation for the Ruin of honest Men by perjur'd Informers, false Witness, unjust Accusations, &c. knowing that evil Men are forward to murther the Reputation of honest Men, by suggesting Crimes, in hopes of Reward; and for this reason humbly represents; that however your Honours may think it necessary, when upon a full and fair Hearing, a Criminal

is justly condemned, and great Sums recovered or saved to the Government, that such Services should not be forgotten, or that reasonable Returns should be made to the Person, out of the Effects so recovered ; all which is, and ought to be left to the Wisdom and Justice of your Honours, when any Law for this most necessary Service shall come before your Honours in a Parliamentary Way : That yet, for want of due Encouragement for, and suitable Rewards to the Persons discovering such Frauds, many are deter'd from making the Attempt, being sure on one hand to hazard the Ruin of their Families, and perhaps run the Risque of their Lives, from the Desperation and Resentment of the Persons accused ; and uncertain on the other hand of any Support or Encouragement from the Government, to whom they render the said Faithful Services. And it is hoped your Honours will not blame the Representer hereof, if he suggests, that the not giving due Encouragement of Protection and Support, by the Persons whose Duty it has been, to the Person who would have made such Discoveries to them, *may possibly, tho' he does not affirm they do* arise from a real Unwillingness to have those Frauds detected,

cted, and that this Unwillingness may tolerate a Suggestion, that it may proceed from some Criminal Share in the said Abuses or Confederacy with the Persons so engaged in defrauding the Nation. And tho' the Persons cannot be formally accused before your Honours of the Fact, yet he humbly hopes your Honours will accept of the Probability, as a strong Reason to enforce the Necessity of providing against such Confederacy, with Connivance at, and sharing in the Crime, by preventing the said Backwardness to encourage the Discovery thereof, in such Manner, and by such Methods, as to your Honours in your great Wisdom shall seem meet: He makes no question but your Honours might be assured, that upon such Provision to be made as aforesaid, *viz.* of Protection and Reward, such immediate Complaints would be brought before your Honours, or before the proper Persons to whom your Honours shall be pleased to give Power to receive the same; as might be a Means to detect the innumerable Frauds and Oppressions which the Nation at this time groans under; and to ease the Nation in divers great and unnecessary Expences, by reducing the Management of several Of-

fices and Officers to a better Regulation ; as also to save great Sums to the Publick, which are daily lost to, and embezled from the Revenue.

The Representer hereof cannot refrain to lay before your Honours, what, if true, he makes no question your Honour's will think well worth such Animadversion, as is due to those who make a Mock of Parliamentary Justice ; and which, if not true, at least seems to require some publick Notice, in order to stop the Improvement which evil disposed Persons pretend to make thereof, in prejudice of the Honour and Wisdom of this present Parliament ; (*viz.*) That whereas in the first Session of this current Parliament, your Honours, after full Examination, hearing and determining a Complaint exhibited at your Bar, against several Brewers, as well in *London*, *Portsmouth*, and elsewhere, employed in brewing Beer for the use of her Majesty's Navy, did resolve, that great Abuses, Frauds, and ill Practices, had been made use of by the said Brewers, and by the several Persons named in the said Examination and Hearing, detected to the Loss and Detriment of the Publick, the Sum of 53000 £. Sterling, or thereabouts, in the single Article

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of Small-Beer only ; for which Crime, several of the Persons concerned, were ordered by your Honours to be prosecuted at Law, as the Nature of their Crime aforesaid very well required ; as by the said Examinations humbly represented to her Majesty by this Honourable House, may appear more fully and at large. Yet that notwithstanding this, the same Persons are said not only to be employed again, as Brewers for her Majesty's Navy ; but as they report also upon the same Condition, (*viz.*) Of giving Receipts for the full quantity of Beer allow'd to the Men, when far less quantities are deliver'd ; upon the pretence, that Men on Board the said Ships, having Tickets given them to be absent, her Majesty is obliged to allow them the Beer, and the Officers put so much Money into their Pockets, by Consent of the absent Men ; which Practice, although it has been censured as an Embezzlement and Fraud by this Honourable House, yet is said to be continued ; and the same Persons so censured, to be even now practising it in defiance of the Justice of the Parliament, and in Contempt of all Methods and Measures hitherto taken to the contrary ; which Practice, if true, seems to claim

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your Honours farther Inspection ; and if not true, yet even its being publickly reported to be so, may not be without its evil Consequences ; and is therefore laid before your Honours, as what it is humbly supposed may be acceptable to you to know, and may merit your farther Consideration.

May it please your Honours to suffer, in a Representation of this Nature, the Oppressions of inferior Officers in the Customs and Excises, to take up a short space in our Complaints ; while such Officers receiving Encouragement from their Superiors, on pretence of supporting them in the Discharge of their Duty, daily make illegal Seizures upon frivolous Pretences, detaining the Goods of the Merchant, to make private Advantages of those Merchants, who they expect will rather gratifie them with Bribes, and unjust Fees, than suffer the Delays, the Perplexities, and Expences of disputing with, attending, and perhaps submissively entreating the Commissioners to obtain an Order for the Restitution of their said Goods, though no Pretence of seizing the same could be afsigned.

Nor

Not is this all, but even the Commissioners themselves, when Goods have been so seized without legal Pretence, and upon frivolous and unjust Allegations, and when upon fair hearing of the said Merchant, such Allegations of the Officers have appeared frivolous and vexatious, and such as the Commissioners themselves have found they could not sustain ; yet instead of discouraging and reproving their Officers for the same, the general Practice of the Custom-House has been to order the said Goods to be delivered to the Merchant, he satisfying the said Officers for their Trouble.

The Reprefenter hereof humbly lays it before your Honours, as what he conceives well worth your Honour's Consideration ; that where the Merchant's fair Proceeding has been so well made out, that the Commissioners have not found any legal Ground to stop, or make Seizure thereof, and have not been able to lay any Penalty or Payment certain upon the Merchant ; the leaving the said Merchant indefinitely at the Mercy, and subjected to the known Avarice and Extortion of the under Officers,

ers, must be arbitrary, and illegal; Since, if the Seizure was just, the Goods ought to be condemn'd, but comuting the Offence, by a Satisfaction to the Officer, is a plain defrauding her Majesty of her Dues, and making a composition, which they have no Power to do; on the other hand, if the said Seizures were not just, the leaving the Merchants Goods in the Hands of the Officers, till they are satisfied, is empowering the Officers to plunder and rob the Merchant of what they have no legal Right to demand.

It is humbly represented to this Honourable House, that many and flagrant Instances of this Extortion and Imposition upon the Merchant, are upon the least Enquiry to be found; and two Officers in the Customs, more especially infamous for having thus enrich'd themselves at the Expence of the fair Merchants, by whom Five Hundred Pound Value in Merchants Goods have been injuriously detained at a time, to extort two or three or four Guineas from the Merchant, to purchase the Delivery of what they have not the least legal Pretence to detain.

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The Representer humbly acknowledges, that if the Merchants, who are thus impos'd upon and oppress'd, will prosecute their Right at Law, they may, and sometimes have obtain'd their Goods without these unjust Exactions; and a known and famous Instance of this, has been in a Case lately laid before the Commissioners of the Customs, in Behalf of a Merchant, who had near 500*l.* worth of Cloves unjustly detain'd some Weeks, to his great Damage and Loss, and who having represented to the Commissioners the Unreasonablenes of such Proceedings, and his Resolution to prosecute at Law for the same, and also to represent the Abuse he receiv'd to the present Parliament, had his Goods, with great Submission and Apprehension, (*a manifest Token of their Guilt*) ordered to be delivered without any such Fee or Reward.

But the Representer humbly lays it before Your Honours to determine, whether it be not an Act of Injustice and Oppression, contrary to the true Intent and Meaning of all the Laws for laying Customs on Merchandise, that the said Merchants Goods should be thus stopt and detain'd upon vain and frivolous Pretences, and not be deliver'd but by Menaces and Process of Law, or under Ap-

prehensions of the Justice and Resentment of Parliament, considering especially, not only the Interest and Advantage which it is to the whole Nation, and the constant Concern of this Honourable House and the Government, to give all just and due Encouragement to fair Merchants, whose Prosperity is so essential to the Trade of this Island in general; but also that the detaining the Goods of a Merchant, as the Occasion of Markets, the frequent Importations, and the Rising and Falling of the Rates of such Goods may happen, may often be equivalent to the seizing and condemning them; and the keeping Goods from a Market, sometimes is equal to the Loss of them.

The Extortion of unjust Fees and Payments, practis'd by the same Under Officers on other and various Occasions; with the undue Preferences, Delays, and Partialities practis'd by the several other Officers in the Custom-House, being too many to enumerate, or to give Your Honours the Detail of in this Memorial, are yet humbly represented to Your Honours in the General, as Things tending greatly to the Dishonour of the Government, the Discouragement of Trade, and the great Injury and Perplexity of the Subject; and the humble Represen-

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ter chooses to lay these Things before Your Honours in general Terms, rather than to molest Your Honours with particular Informations and Accusations of Persons; as well to avoid giving great Trouble to the House, as to testify, that it is the preventing the Evil to Trade, and the Oppression to the Subject, which he seeks, and which he knows well, will be effectually crush'd by the Breath of your Mouth, rather than the personal Ruine of the delinquent Officer, who, he knows, would sink under the Justice of the House, if detected; at the same Time professing himself ready and able to lead to, or lay divers Particulars of these Things before Your Honours, whenever it shall be thought needful.

He humbly represents also to your Honours, that manifest partialities have been used by particular Officers of Her Majesties Customs, in the encouraging or discouraging other Officers in the Out-ports, as well as in the Port of *London*, to condemn and carry on legal Prosecutions of Goods fairly seiz'd, which have either by private Commutation, Bribery, or other ill Practices, been kept back, and the Persons guilty have not only disowned and oppressed the faithful Officer in doing his Duty, but insolent Frauds, Collusion,

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Bribes, and Concealments of Customs, are thereby carried on upon the Coasts, by which clandestine Trade gets the Ascendant of fair Merchandizing; and by which, as an evidence of Fact, it may appear to your Honours, that the several late additional Duties on Pepper and Spices are so far from answering the End, that no Proportion of those Goods appear Entred at the Custom-House to what was always so entred before the said Duties; and yet no Reason can be assign'd to prove that the Consumption is less; and which is farther evidenced, in that the said Goods, *viz.* Pepper and Spices, are to be found in greater Quantities, and to be bought at cheaper Rates on the several Coasts of *England* nearest to *Holland*, than in any other Parts of *Britain*, and in some Places are sold cheaper than formerly, even before those additional Duties were laid on.

All which the Representer hereof, without accusing any particular Persons, humbly referrs to any Examination Your Honours shall think fit to make, or cause to be made, particularly among the Officers of the Customs in the Counties of *Norfolk*, *Suffolk*, &c. and the Coasts adjacent. By all which Frauds, he humbly conceives the Nation is not only plundered and ill used,

used, but the Funds of Parliament rendered deficient, Her Majesty injured, and Trade greatly discouraged: Things which he believes, and humbly hopes, this Honourable House will esteem worthy their taking Cognisance of; and that therefore this humble Representation thereof shall not be offensive to Your Honours, to whose Wisdom and Justice these things are in the humblest manner submitted.

To all which Errors in the Management of the Revenue of the Customes, is Humbly added, one farther Method, which however it may seem rather to be a Defect in the Law itself, than in the Execution of the said Law by the Commissioners, has yet proved a great Prejudice to Trade in general, and the manifest Ruine of many flourishing Merchants; and if no remedy be speedily applied to the same, may, it is feared, be Destructive to one of the greatest Branches of our Plantation Trade, and especially to the Trade of *Virginia*: A Branch so effectually Serviceable to the present Time, by the great and extraordinary Sums of Money paid on that Account to the Government; which Trade suffers this present Inconvenience, which, as it is conceiv'd, none but the Parliament can Redress, (*viz.*) that whereas the

Duty

Duty is so great, being 5 : Duty on the Value of One Penny Prime Cost, that it is exceeding difficult, and even Impracticable for the Importer to pay, or advance the same in ready Money ; but that therefore it is provided, for the ease of the Merchant, that time shall be given for Payment upon Bond, with Security to be given by the Importer for the same.

This giving Bond, as above, is not only Destructive to the Revenue itself, in that the Persons bound, as well the Principal, as the Security, often prove Insolvent, so that the Duty is never recovered. But is also the Ruine of many Innocent Families, who are daily, and very frequently torn to Pieces by Extents ; and by Surprises, are rendred unable to satisfie either the Queens Debts, or other Debts, which without such Violences they might easily do. By these Methods, Six or Seven Families have been ruined to pay a Debt, which one of them was, by milder Measures, able to have discharged ; and Ten Thousand Pounds has been lost by the Debtors, to pay less than Two Thousand Pound Debt ; of which your Honours, upon the least Enquiry, may have sad and melancholy Instances from the Custom-House, and from

from many of the Prisons of the Town, where great and flourishing Merchants now languish under Extents, ruin'd and undone, who by the easie and equal Proceedings of one Merchant to another, could have paid 40s. in the Pound, on all the Debts they owed in the World.

It is humbly represented to your Honours, that these Things frequently happen to the Securities, when the Principals either go free by the Partiality of the Prosecution, or at least, where the Principal is not, as reason seems to dictate, more especially prosecuted.

But the End of this Particular is more especially to represent to your Honours, how much more equal it would appear, and safe both to Her Majesties Duties, and to the Merchant paying the same; if publick Ware-Houses were appointed, wherein the said Tobaccoes should be deposited, as a Security for the said Duties, to be paid by the Importer whenever he pleases to remove the same, or by the Buyer of the said Goods, when he shall receive them from the Importer, or to be ballanced by the Debenture, upon Exportation, as the Law directs.

And this is further humbly enforced, by an Argument drawn from matter of Fact,

Fact, with Relation to Tobaccoes exported again by Certificate, (*viz.*) That whereas the whole Duty of the Tobacco, except *per Pound*, is drawn back by Debenture or Certificate, upon the Exportation thereof to other Parts beyond the Seas. By the present Method of the Custom House, in taking Bond for the Custom inward of the said Tobacco, it frequently falls out, that Her Majesty not only loses the Duty inward, by the Insolvency of the Merchant, who Imported it upon Bond as above, but pays again *5d. per Pound*, by Debenture to the same insolvent Importer, upon his Exporting the same, altho' his Bonds for the Duty on the Importation be not paid; by which Means, if Ten Thousand Pounds be first the loss of the Imported Duty, the Queen also loses 9500*l.* more out of her Pocket upon the Exportation, and that perhaps to the very Person, who by his Insolvency, had already wrong'd Her Majesty of the first.

This, as he humbly represents, is occasioned, by adhering exactly to the Letter of a Rule in the Custom-House Methods, (*viz.*) of refusing to Ballance the Bonds and Debentures of the Merchants, by which, as on one Hand, if a Merchant has a Thousand Pounds due

to

to him by Debentures, for Goods Exported, and owes a Thousand Pound to the Queen upon Bonds, he shall not be admitted to give in those Debentures, in payment of his said Bond, but may be sued to an Extent, and be ruin'd for his Debt to the Queen, he being at the same time Creditor to the Government for the full Sum, for which his Estate shall be extended, and his Credit ruin'd : This, it is humbly conceived, is a hardship and cruelty upon the Merchant, and a Severity, which in Equity ought not to be exercised. On the other Hand, the same Method is Injurious to the Revenue, when a Merchant, who owes a Thousand Pound for Duty on Tobaccoes, shall upon Exportation, receive near the said Thousand Pound by Debenture, altho' the Duty aforesaid be not paid ; and by which Means, if the said Merchant and his Security prove Insolvent, the Queen loses 2000l. out of Pocket.

And the Representer hereof, that he may not be supposed to Amuse or Impose upon this Honourable House, by supposing Things only possible, but that are not so in Fact, humbly appeals to the Commissioners of the Customs, and their Accounts ; wherein he doubts not

but it will appear, that both these Cases have happened on several Occasions.

Also the Humble Author of these Sheets represents, with all Submission, to the Honourable House, that this Method is eventually the Occasion of many Frauds and Disasters between one Merchant and another, in drawing in poor and insolvent Men to be bound with one another, to the Injury and Ruine of their respective Creditors; and in especial manner, when Insolvent Merchants draw in Men of good Circumstances to be their Security, and by taking advantage of the said Method of the Custom-House, wickedly secure to themselves the Debentures for the drawback on Exportation of the Tobaccos they have so given Bond for, and not discharging the said Bonds, leave their Securities to be ruin'd for the very Money which they themselves have fraudulently received; All which Reasons strongly plead with your Honours to enact, that the Tobaccos may be so lodg'd in Ware-Houses, as well for the securing the said Duties, as to prevent the many Evils abovementioned; or that some such other way be found out, to save the said Traders from the evident

Ruine.

Ruine and Injury aforesaid, such as to your Honours, in your Great Wisdom shall seem meet.

The humble Representer hereof, avoids mentioning the great and manifold Abuses committed in the Collections of the Customs and Excise, by the Corruption of the Officers, by Connivances and Confederacies between the Gaugers and the Brewers, but especially the Distillers, and between the Merchants and Collectors, as Things however fatal in themselves, and of Consequence to be discovered ; yet more properly belonging to the respective Commissioners to enquire into, and Correct ; and therefore descending to other publick Affairs, Offices and Persons, by whom the Nation is equally Plundred, Humbly

Represents farther, the unsufferable Oppressions and Injuries offered with Impunity, upon that most useful and serviceable Part of Her Majesties poor, but faithful Subjects, *The British Seamen* ;-- And this as well by the ill Treatment of them at Sea, respecting in especial manner their Provisions, as in more especial manner their Wages and Pay, which they receive on Shore.

The Circumstances of the Times, whether respecting the publick, as to

raising Money ; or the Exchequer, as to the Time of Payment, have always been such, as that the poor Seamen have frequently been obliged to stay from one, to 4, 5, or sometimes Seven Years for their Money ; During which Time, for the Supply of Necessaries, for the Support of their Families, and oftentimes to furnish and fit themselves out for Her Majesties farther Service, or for their other Occasions, they are obliged either to sell the Tickets for their Pay to Harpies and Extortioners, who frequently exact extravagant Sums from them for the same ; or to Pawn, Pledge and Borrow Money upon them, to the like Sort of People ; by which Means, the Interest eating out the Principal, they are irrecoverably Lost. By this Means, it is humbly represented, the following Inconveniences follow. (1.) That the Men become careless of the Service, and value not Deserting, seeing the Loss falls on those to whom they have sold their Tickets, who they take to be no better than Pyrates, having generally plunder'd them of one Half, to advance the other ; and by this Means, so many of the Seamen run away into the Service of the Merchant, and from thence to Foreign Countries, not caring to Serve for that Pay, which

which when they have done, is not worth above half its Value; so that they can receive but one Years Wages, for Two Years Service.

This, it is humbly represented to your Honours, is so easie to Remedy, and of so great Consequence to be remedied. *The first*, by appointing some certain Time of Payment to all the Seamen, and allowing Interest on their Tickets till payed, establishing them on such good Parliamentary Funds, as may be thought fit, that they may circulate in payment at a current and establish'd Value; and the last being so Evident to your Honours, as to need no other Demonstration, the Author therefore ceases to enlarge on their Particulars, only humbly recommending to your Honours Consideration; That the Seamen are a People, who not only by their Usefulness as such, but by their forward Readiness to expose themselves on all Occasions for the general Safety, by their Bravery and Gallantry, even without Vanity exceeding all Nations, and by the constant Hazards and Fatigues, which their Services are always attended with; recommend themselves to the Compassion of this Honourable House, they being at this Time, in Relation to the Circumstances above-
laid;

said, the most injur'd and oppress'd of all Her Majesties Subjects ; whether we speak with respect to the Circumstance of their Service, as aforesaid, to their extraordinary Merit and Usefulness ; or the Necessities of their Families and Circumstances ; and in all these Cases, with respect to the Right they have to their said Wages, which after they have so dearly earned, 'tis humbly represented, may as justly claim an Allowance of Interest, as a simple Loan of Money under Security of the Government does in other Cases.

He humbly Represents, that such due Provision, as to this Honourable House shall seem meet, for securing the Payment of the Wages due to the said Seamen in Her Majesties Service being made, would not only prevent the Oppressions and Extortion of the Persons aforesaid, and their making a Prey of the Necessities of the Poor ; but would encourage the said Seamen, with more Clearfulness and Alacrity, to enter into Her Majesties Service, and to continue therein when entered, than all the Bounties, advanced Pay, and other Encouragements, which to the great Charge of the Government have annually been ad-

advanced, for the better and more speedy Manning of Her Majesties Fleet, and would also prevent in a great Measure the Violences, and other ill Practices used in, and in part necessary for the pressing and enforcing Seamen into Her Majesties said Service at Home, and would in a great Measure prevent the running of great numbers of the said Seamen into the Service of Foreigners, and very often into that of Her Majesties Enemies, to the great Prejudice of Her Majesties Service, and the manifest weakning and lessening the Strength of the Nation.

In like manner, it is humbly represented to this Honourable House, the evident Injuries, Plunderings and Oppressions committed by the Officers, Agents, Pay-masters, Pursers, and other Persons concerned ; as it respects the Widows and Orphans of such Seamen and Soldiers as die, or are Slain, Drowned, or otherwise lost in Her Majesties Service, as well by Land as by Sea ; in which Case, as well upon pretence of want of due Powers for receiving thereof, as upon fraudulent and clandestine Pretences of the Accounts being fully cleared to the Party deceased, the Widows and Orphans, or such other Relations as have right to claim what

what remained due to the said Persons deceased, are defrauded thereof, and the said Officers, Agents, Paymasters, Pur-sers, or other Persons concerned, put the same in their Pockets, and barbarously inrich themselves with the Wages and Pay, dearly earned by the deceased, at the Price of their Blood, in the Service and Defence of their Queen and Country.

This the Author hereof humbly represents, as a Work well worthy of the Justice and Compaffion of this Honourable House, whose peculiar Honour it is to redress the Grievances of, and deliver from Oppression and Violence, the People they represent, and humbly hopes, it shall be deem'd an acceptable Service in any Member of the *British* Commonalty, with Decency and Respect, to put an Occasion into their Hands of doing so much Justice to the Poor, and detecting so much Violence and Injury as, 'tis evident, is suffered by the one, and practis'd by the other ; and with all Humility he recommends to this Honourable House, the determining some Method, such as to their great Wisdom shall seem meet, for the ascertaining, and publickly declaring at the Head of every Regiment, and in the proper Offices of the Pay-Masters, &c. either of Clearings for Off-reckon-

reckonings, or Subsistence, as well to the private Centinels, as to the Subalterns and superiour Officers of the Army: Also at the main-Mast on Board of every Ship, and at the proper Offices of the Navy; for what shall be due to the foremast Men, Midship Men, Reformades, or Officers of the said Ships which shall so happen to die; so that the same may be publickly known by the Persons surviving, who may have Right to the same; and that such publick Declaration, duly entered and registered in the said Offices, may be taken as sufficient Proof, and may be given in Evidence in any of Her Majesty's Courts of Justice, against the proper Persons detaining the same, in Behalf of such as may have a Right thereto, in Case they shall be obliged to sue for the same: This, 'tis humbly supposed, will make it difficult, if not impracticable for the said Officers, Agents, Paymasters, Pursers, &c. to cheat and defraud the Relations or Executors of such of Her Majesty's faithful Subjects, who lose their Lives in Her Service, of such Pay or Wages, as shall be due to them at the Time of their Death; or at least shall make it easy to such Committees, as shall from Time to Time be appointed by this honourable House to inquire

quire thereinto, in order to detect and pu-
nish such as shall be found guilty. Further,
the Author hereof humbly represents the
Injuries, Wrong, and Injustice suffered
by the Seamen in Her Majesty's Service,
and by their Widows and Children, with
respect to the rich Prizes frequently,
(and of late more than ever) taken by
Her Majesty's Ships in divers parts of the
World, but more especially in the *Span-
ish West-Indies*, where it has frequently
happen'd, that such Ships so taken,
have had great and immense Sums in
ready Money, Bullion, Bars of Silver,
Gold, Jewels, &c. beside rich Merchan-
dizes on Board thereof; of all which,
according to a late Act of Parliament for
Encouragement of Seamen, every Fore-
mast Man, or other common Sailor, Vo-
lunteer, Marine, or private Soldier, as
well as Officers, are to have their Share,
in proportion to the Station in the said
Ship or Ships, present at the taking the
said Prizes; yet the said Sums of Money,
Silver, Gold, Jewels, &c. are frequently
embezzled, secured, concealed, and
privately coveyed away before any pub-
lick Account of the Cargo of the said
Ships is taken, whereby the said Sailors
are injured and deprived, plunder'd and
de-

defrauded of their Share in, and Right to the Advantage of the said Prizes, and the Incouragement enacted by this honourable House, as the Reward of their Hazard and Danger in fighting for, and taking the same; to the manifest Hindrance of Her Majesty's Service, Discouragement of the Seamen in general, and in Defiance both of the Law, and the Justice of Parliaments: For Remedy whereof, the Author humbly represents to this honourable House, the absolute Necessity of making some further Provision, for the taking an immediate Account of the full Produce of the loading and Goods on Board such Ship or Ships as shall be so taken from the Enemy, before any Person be suffer'd to go ashore out of the same; or that such other Method for the preventing the Frauds used by the said Officers to deceive and injure the said Seamen, may be found out and enacted, as to this Honourable House, in their great Wisdom, shall seem meet.

The Author hereof humbly represents, that there are various other and further Depredations, Plunders, Oppressions, and injurious Practices made use of by the Officers as well of Her Majesty's Navy as Army, which Merit and loudly call

for Redress from this Honourable House; Such as (1.) the secret Methods clandestinely used by Constables, and others in Procuring Men for the Service; the Partiality in listing and discharging these for want of, and those for Consideration of Money paid them, contrary to the true Intent and Meaning of the Law in that Case provided, and particularly an abhor'd and unchristian Method of soliciting the Justices of the Peace, to acquit and release such or such, however qualified to serve, and however unincumber'd with Wives and Children, &c. and this upon Condition, to find another Man in the room of the Person so desired for private Consideration to be released; to perform which Condition, they seize upon such other Person in the Town or Parish to which they belong, without due Respect to legal Circumstances, and force him into the Service, to supply the Place of him, who, for Bribery and Corruption, they released; which wicked Practice, it is presumed, may, without Offence, be term'd buying and selling Her Majesty's Subjects; whereas it is most manifest, that by the true Intent Meaning of the said Law, *on one Hand* the first Person so listed, ought either not to have been listed, or, when so listed, ought

ought not to have been discharged ; or, *on the other Hand*, the second Person ought not at first to have been left behind as unfit, or being unfit, ought not to be taken. (2.) The like Partiality, it is humbly represented, has been frequently practis'd by the Lieutenants and other Officers, entrusted with Press-Warrants for the Use and Service of Her Majesty's Navy, who frequently take Money to dismiss and discharge able Seamen, and fit for the Service, upon trifling and frivolous Pretences ; and carry away by Violence, on the contrary, such as are altogether unfit for the Service, and unacquainted with the Sea ; as Apprentices to Trades, or Persons otherwife employ'd in Handicrafts, and on whose Labour may depend the Bread and Subsistence of Families, who starve and perish for want of them ; which Men are hurried away without giving them Leave to send for, or acquaint their Friends what is become of them, that legal Methods may be taken for their Deliverance ; at least till they are out at Sea, and so far remote from their Habitations, that they have no means of Redress : Which Abuses are humbly represented to this Honourable House, as Violations of the Liberty of the Subject, and as manifest Infractions of the Laws

Laws of this Land, practis'd upon Presumption of the Person oppress'd being unable to sue for Redress of the said Wrong; or by Reason of Ignorance or Poverty, being in no Condition to recover Damages, or obtain Satisfaction for the same: All which Considerations, it is humbly suggested, serve the more effectually to recommend the said Cases to the Cognizance of this Honourable House, whose Constitution and Property it is, to delight in redressing the Grievances of the injur'd Poor, and to punish all Invasions upon the Rights and Liberties of the Subject.

The CONCLUSION.

Perhaps it may be objected by such as shall read these Sheets, that the Complaints here made, are all general; that there is here no Evidence of Fact; that they are not made in a Parliamentary Way; and that therefore it cannot be expected, the Parliament should take any Cognizance of the same, or at least if they do, it should be to object against, Blame, and perhaps censure and punish the Novelty of calling a meer Pamphlet, *A Memorial to the Parliament*; which, on the contrary, ought rather to have been presented to the House, sign'd by the Person

pre-

presenting the same; that so if the House had thought fit to require it, the Person so presenting it, should appear to make out the several Particulars, in order to a legal Proceeding against, and Punishment of the Criminals who shall be detected.

This, as a reasonable Suggestion, is for this Reason referr'd to the Conclusion of this Tract, and may be answer'd in the following Manner.

First, it is humbly conceiv'd, that any Person may (and has some Native Right to do so) humbly, with Decency and Duty, as 'tis hop'd this is done, represent to the Parliament any publick Grievance or Grievances, Oppressions, Plunders, and Invasion of Right, which, by his Observation, he sees is the Practice of publick Officers; in order to put the same into a legal and probable Way of Enquiry and Redress; and it has not been only acceptable to, but frequently permitted in former Parliaments to do so; altho' the Person so representing, does not appear as a publick Informer against the Persons.

Secondly, The Author of this, thinks the Grievances here complain'd of, are so known, so openly practis'd, so generally complain'd of, and so many are a-
griev'd

grieved thereby, that whenever the House of Commons thinks fit to enter upon the Enquiry, they cannot want abundant Evidence of the Fact, and will have innumerable Application to them for Remedy against the same, so that, altho' no immediate Evidence of Fact is here offer'd, or particular Person here accus'd, yet the House cannot thereby be at a Loss to find out Methods for the Discovery of both.

Thirdly, The Author is so far from declining any needful Service here in the Cases represented ; that if ever the House shall think fit to appoint a Committee to enquire into the Abuses and Violences here mentioned ; he humbly prelumes to say, he shall not be wanting, on the Encouragement and Protection of the House, to descend to a Discovery of very many Persons and Particulars.

Lastly, It cannot be reasonable, the Fury and Malice, Rage and Revenge of criminal Invaders of the Nations Rights, and the Liberties of the poor People being consider'd, that any single Person should expose himself to their Want of Temper, so as to appear against them in Publick, without some suitable Protection other than his own Innocency ; if not also some Encouragement, without which, such a Man might be said indeed to offer himself *to die for the People* : But if the Honourable House of Commons shall be pleas'd to offer such Protection, the Author hereof begs Leave to assure them, that, as he has laid this humble Representation of Fact before them and the whole Nation, he shall, at their Command, make a Beginning at such Evidence, as to Persons and Crimes, as shall, he hopes, satisfy their Honours of the Truth of the whole, and open a Way for others sufficiently to make Good the Rest.

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